**Recovery of the pension and leave salary contributions due from the foreign employers—Issue instructions regarding.—**

READ

(i) O. M. No. FD 71 SRS 69, dated 5th June 1969.

(ii) Circular letter No. FD 71 SRS 69, dated 13th March 1970.

## CIRCULAR

No. FD (Spl.) 1 CPL 73 BANGALORE DATED THE 28th AUGUST 1973.

According to Rule 426 (c) of the M. C.S. Rs., the contributions towards pension and leave salary in respect of Government servants on foreign service should be paid by the Government servant himself unless the foreign employer consents to pay them. According to Rule 430 of the M.C.S.Rs., these contributions are to be paid within fifteen days from the end of the month in which the pay, on which the contributions are based, has been drawn by the Government servant concerned. According to Note-3 below Rule 419 of the M.C.S.Rs., the Government servant should ensure that the contributions are paid regularly.

2. In the Government Circulars No. FD 71 SRS 69, dated 5th June 1969 and 13th March 1970, instructions have been issued to the Administrative Department and to the Heads of Departments to ensure that such contributions are remitted to Government promptly.

3. The Accountant General has reported to Government that in many cases the contributions due have not been paid for several years. This omission actually resulted, in such cases, in the reduction of the qualifying service of the Government servants concerned, thereby depriving them of the pensionary benefits for that period. Of late many cases have been received for the sanction of Government proposing the waiver of the amount of contributions on the ground (a) official concerned has retired or that (b) the institution has no funds to pay the contributions. This can be avoided if adequate and timely steps are taken by the Heads of Departments to enforce the recovery of the contributions from the foreign employers without allowing the matter to lie over for years sometime till the retirement of the Government servant concerned.

4. All the Administrative Departments and the Heads of Departments are therefore, once again requested to ensure that the contributions payable to Government, in respect of the foreign service of the Government servants are paid promptly and that the arrears in this behalf are remitted without delay.

5. The Heads of Departments should arrange in consultation with the Accountant General, to ensure that the contributions payable by the Government servant himself, and not paid till his retirement, are recovered from his gratuity under Rule 215A of the M. C. S. Rs.

6. The peripatetic party in the Finance Department when inspecting the Offices of the Heads of Departments will also ensure that the Heads of Departments take necessary action in this behalf and point out the specific lapses.

7. Any default in this respect will be viewed seriously and the concerned Head of the Department will be responsible for the loss found to have been caused to Government due to negligence in this behalf.

M. SANKARANARAYANAN,

*Joint Secretary to Government,*
*Finance Department*